Emigration Laws

3056. DR. ALLADI P. RAJKUMAR: Will the Minister of LABOUR be pleased to state:

(a) the existing emigration laws;

(b) the various categories of exemption from emigration check; and

(c) whether smuggling of human being is going on due to faulty emigration policies if so, in what manner?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI ASHOK PRADHAN): (a) There are two emigration laws at present, namely the Foreign Recruiting Act, 1874 and the Emigration Act, 1983. The Commission on Review of Administrative Laws has recommended for repeal of the Foreign Recruiting Act, 1874.

(b) There are seventeen categories of persons who are exempted from emigration checks. Details in this regard is given in Statement (*See* below).

(c) Smuggling of human beings is not going on due to faulty emigration policies.

Statement

List of Persons/Categories of workers in whose case emigration check is not required

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1. Persons going in managerial capacity in Hotels, Restaurants, Tea Houses or other places of public resort, etc., possessing specialized degrees in these fields.

2. All gazetted government servants.

3. All Income-tax payers (including Agricultural Income-tax payers). In respect their individual assessment to Income-tax and actual payment of income tax for last three years to be insisted upon, and not merely payment of advance tax.

4. All professional degree holders, such as Doctors holding M.B.B.S. degrees or Degrees in Ayurved or Homoeopathy; Accredited Journalists; Engineers; Chartered Accountants; Lecturers, Teachers; Scientists; Advocates etc.

5. Spouses and Dependent Children of category of persons, listed from (2) to (4).

6. All persons who have been staying abroad for more than three years (the period of three years could be either in one stretch or broken) and spouses, and children of such persons.

7. All Indian Seafarers who hold Indian or

Foreign CDCs and are in possession of an offer of employment from shipping companies in India or abroad and Sea-Cadets.

8. All holders of Diplomatic/Official Passports.

9. Dependent children of parents whose passport are classifies as ECNR. In the case of such children, ECNR classification to be restricted till they attain 24 years of age.

10. Persons holding permanent immigration visas, such as in UK, USA and Australia.

11. Persons holding diplomas or higher Degrees.

12. Persons holding diplomas from recognised Institutions like Polytechnics.

13. Nurses possessing qualification recognised under the Indian Nursing Council Act, 1947.

14. All persons above the age of 60 years.

15. All visitors to Pakistan and Bangladesh.

16. All persons going to any country in Europe (excluding CIS countries North America, Australia, New Zealand or Japan).

17. Persons possessing certificates of vocational training from Government/ Government recognised institutions.

Social security for unorganised workers

†3057. SHRI JANESHWAR MISHRA: Will the Minister of LABOUR be pleased to state:

(a) whether it is a fact that no scheme relating to social security for the workers of unorganised sector in India is being implemented properly;

(b) if so, whether Government propose to constitute any integrated agency to ensure social security for the workers in unorganised sector;

(c) if so, by when; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI ASHOK PRADHAN): (a) The social security/welfare schemes specifically meant for some categories of unorganised workers viz. beedi workers, cine workers and certain non-coal mine workers are implemented under respective Welfare Funds and monitored regularly by the Ministry of Labour. A group insurance scheme, 'Janshree Bima Yojana' implemented through the Life Insurance Corporation of India (LIC) provides insurance cover to the persons below and marginally above the poverty line. National Social Assistance Programme covering old-age pension, family and maternity benefits for select groups is also in operation. Further, Government is also implementing a number of Plan schemes like Swarnajayanti Gram Swarojgar Yojana (SGSY), Sampoorna Gramin Rojgar Yojana (SGRY),

†Original notice of the question was received in Hindi.